4

	Application No.	Applicant(s)	
Notice of Allowability	09/844,915	ROBBINS ET AL.	
	Examiner	Art Unit	
	Terra C. Gibbs	1635	
		<u> </u>	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.			
1. This communication is responsive to Applicants Amendment Afterfinal filed February 7, 2005.			
2. The allowed claim(s) is/are <u>1,2,7,9-11 and 30</u> .			
3. The drawings filed on <u>August 13, 2001</u> are accepted by the Examiner.			
 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 			
2. Certified copies of the priority documents have been received in Application No			
3. Copies of the certified copies of the priority documents have been received in this national stage application from the			
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.			
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.			
 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of 			
each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the			
attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.			
Attachment(s)	5 		
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) 		Patent Application (PTO-152)	
	6. ☐ Interview Summary Paper No./Mail Da		
 Information Disclosure Statements (PTO-1449 or PTO/SB/0) Paper No./Mail Date 	8), 7. Examiner's Amendr		
4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Stateme	ent of Reasons for Allowance	
of Biological Material	9. Other		

Application/Control Number: 09/844,915

Art Unit: 1635

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

In the previous Office Action mailed December 16, 2004, claims 15, 17, 19, 20, and 23-29 were rejected under 35 U.S.C. 112, first paragraph, because the specification while being enabling for a method of enhancing tolerogenicity in a mammalian transplant host, comprising the intravenous administration of an isolated tolerogenic dendritic cell comprising oligodeoxyribonucleotide, an wherein the oligodeoxyribonucleotide is SEQ ID NO: 1, further comprising an adenoviral vector encoding CTLA4Ig, does not reasonably provide enablement for a method of enhancing tolerogenicity in a mammalian host, comprising any route of administration of an isolated tolerogenic dendritic cell comprising an oligodeoxyribonucleotide having one or more NF-kB binding sites, further comprising a viral vector. This rejection is moot in view of Applicants amendment to the claims to cancel claims 15, 17, 19, 20, and 23-29 filed February 7, 2005.

Claims 1, 2, 7, 9-11, and 30 are allowable.

Application/Control Number: 09/844,915

Art Unit: 1635

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Terra C. Gibbs whose telephone number is (571) 272-

0758. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John L. LeGuyader can be reached on (571) 272-0760. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

tcg

February 25, 2005

JOHN L. LEGUYADER

SUPERVISORY PATER EXAMINE

TECANOLOGY CENTER 1600

Page 3